Understanding Canada's Firearms Law

Canadian Firearms Centre

Centre canadien des armes à feu

A Guide to Key Information in the Firearms Act, Regulations and Support Material

Canada

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This Guide is not a legal text. It does not replace the law found in the *Firearms Act* and its Regulations. It is meant for general information and may not meet all of your information needs. For more information: see the *Firearms Act* and Regulations; call 1 800 731-4000; or visit our Web site at www.cfc.gc.ca.

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Ce document est également disponible en français.

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INTRODUCTION

Background

The *Firearms Act* became law on December 5, 1995. In November 1996 and December 1997, the Minister of Justice tabled Regulations that set out how the *Act* will work. The *Firearms Act* and the final Regulations are being phased in starting December 1, 1998.

This Guide

This Guide sums up the issues and requirements of the *Firearms Act* and Regulations that affect most firearm owners. (Provincial, territorial and municipal laws and regulations may also apply.) The Guide also sets out information to help firearm owners better understand the requirements of some of the forms (licensing, registration, etc.) referred to in the Regulations.

For more information:

- *call 1 800 731-4000*
- *visit our Web site at www.cfc.gc.ca*
- *e-mail the Canadian Firearms Centre at: canadian.firearms@justice.gc.ca*
- *contact the Chief Firearms Officer of your province or territory.*

TERMS USED IN THIS GUIDE

The following are explanations of terms used in this Guide:

Aboriginal includes Indian, Inuit and Métis persons and beneficiaries under a land claims agreement referred to in section 35 of the *Constitution Act, 1982.*

Aboriginal community means a traditional group of Aboriginal persons that has a distinctive culture that includes traditional hunting practices.

Act means the *Firearms Act.*

Adult refers to individuals 18 years of age and older.

Agency firearm means a firearm that belongs to a public service agency and is used by public agents.

Agency identification number is the number assigned to a public service agency by the Registrar.

Carrier means a transportation service licensed to carry firearms, or other things covered by the *Act.*

Chief Firearms Officer (CFO) is the person in authority for the *Firearms Act* and Regulations (in a province or territory), who is responsible for issuing licences, authorizations to transport and authorizations to carry and other tasks related to the possession of firearms and to the application of the *Firearms Act.*

Class means one of the following classes of firearms:

- non-restricted;
- restricted; and
- prohibited.

Elder means an Aboriginal person who is a member of an Aboriginal community and who is known by community members as having a great deal of knowledge of the culture and traditional practices of that community.

FAC stands for Firearms Acquisition Certificate. It is the certificate needed to get a firearm before December 1, 1998. Starting December 1, 1998, individuals will obtain licences instead of FACs. (As long as they are valid, FACs can act as licences.)

FIN stands for Firearms Identification Number. It is a number, provided by the Registrar, for every firearms registration certificate. The FIN must be placed on firearms that do not have serial numbers that allow the firearms to be identified.

Firearm means any barrelled weapon (including the frame or receiver) that fires projectiles, shot or bullets and that is capable of causing serious injury or death to an individual.

Firearms Act means the law regulating the possession, acquisition, use and movement of firearms, other weapons, prohibited devices and ammunition. The *Firearms Act* came into effect December 1, 1998.

Firearms business licence means the licence issued under the *Firearms Act* that allows businesses (including museums and carriers) to deal in or possess firearms.

Grandfathered is a term used to describe firearm owners who are allowed to keep certain prohibited firearms.

Gun show means an event or occasion that includes the display, offering for sale or sale of firearms, whether or not as part of a larger event.

In writing includes any electronic communication that can make a paper record.

Leader means an individual who is recognized by the members of an Aboriginal community as their representative.

Minor refers to individuals 17 years of age and under.

Non-restricted firearm means any firearm that is not restricted or prohibited. Most rifles and shotguns are non-restricted. Non-restricted firearms can legally be used for hunting.

Orally means a communication carried out in person or by other means such as a telephone.

Owner (of a business) includes a partner in a business.

Premises means the place, space or area used in carrying on a business. It may include part of a home.

Prohibited handgun means a handgun (referred to in subsection 12(6) of the *Firearms Act* and section 84(1) of the *Criminal Code*) that has a barrel, equal to or less than, 105 mm or is of 25 or 32 calibre.

Protected firearm means a firearm that a public agency is responsible for, but does not own (seized or found firearms, etc.).

Public agent means any of the following persons who handle firearms, ammunition or certain weapons, as part of their duties:

- peace officers;
- police-officer & peace officer trainees who are under the control & supervision of a police academy or designated institution;
- designated federal, provincial and municipal employees;
- chief firearms officers and firearms officers; and
- individuals who act on behalf of, and under the authority of, a police service or government department.

Public service agency means:

- a police force;
- a department or agency of the public service of Canada or of a province or municipality;
- a police academy; or
- another public agency that employs or has under its authority, public agents who handle firearms, ammunition or certain weapons.

Range officer means an individual who supervises the shooting activities at the firing line of a shooting range.

Registrar means the official appointed to run the Canadian Firearms Registry. The Registrar is responsible for:

- firearms registration;
- businesses that import and export; and
- other matters involving certain businesses.

Replica firearm means any device that looks exactly or almost exactly like a firearm, but is not a firearm. Most replicas cannot discharge projectiles at all, or discharge only harmless projectiles. Devices that discharge projectiles that can cause serious bodily injury are not replicas.

Secure locking device means a device that:

- can only be opened or released by the use of an electronic, magnetic or mechanical key or by setting the device with a combination of numbers or letters; and
- when applied to a firearm prevents the firearm from being discharged.

(Examples of secure locking devices include trigger and cable locks. Not all locking devices will work on all firearms.)

Shooting club means a non-profit group whose activities **include** target practice or target shooting competitions using **restricted** firearms (which are mainly handguns) or prohibited handguns.

Shooting range means a place intended to be used, on a regular and organized basis:

- for the safe discharge of firearms for target practice, or
- target shooting competitions.

Shooting club/range operator means a person approved under the *Act* to operate either a shooting club or a shooting range.

Sponsor means a person approved to set up and run a gun show.

Sticker means a self-sticking label showing a firearm identification number (FIN) that is issued by the Registrar to firearm owners (whose firearms do not have serial numbers that allow the firearms to be identified).

Transfer means to sell or barter or give.

Unattended vehicle means a vehicle that is not under the direct and immediate supervision of an adult, or a minor (with a possession licence for minors).

Unloaded means that there is no propellant, projectile or cartridge (that can be discharged from a firearm) in the breech, firing chamber or cartridge magazine, attached to, or inserted into, the firearm.

Vehicle includes any means of land, water or air transportation.

Verification means the confirming of a firearm's characteristics (serial number, class, make, etc.) by a person approved by the Registrar.

Verify means to confirm that the identification and classification of a firearm (submitted to the Registrar to obtain a new registration certificate) is complete and accurate.

(Whenever possible, plain language has been used to explain the above terms. For legal definitions, please see the *Firearms Act* and Regulations.)

FIREARMS LICENCES

Under the *Firearms Act,* individuals and businesses (including museums) must obtain a licence to possess (have, own) or acquire (obtain, get) a firearm. The ***Firearms Licences Regulations*** outline the different types of licences for firearms and other regulated items. The Regulations set out licence requirements and conditions.

Authority for Regulations: *Firearms Act*; ss. 7(4) (a), 9 (1),(2) and (5), 11(2), and 117
Reference: *Firearms Licences Regulations*

Licences for Individuals

The Firearms Regulations set out four types of licences:

- licences for possession only (current adult owners);
- licences to obtain and possess firearms (adult);
- possession licences for minors;
- temporary firearms borrowing licences (for non-residents).

Firearms licences became available on December 1, 1998. Individuals had until January 1, 2001, to get a licence for the firearms they possessed on that day. (Until they expire, FACs serve as licences.)

(Aboriginal individuals, also see this Guide p. 52: Aboriginal Adaptations for adaptations that may apply.)

Adults

Canadian Firearms Safety Course (CFSC)

To apply for a licence to obtain a **non-restricted** firearm, adults must:

- take the Canadian Firearms Safety Course and pass the test, or
- show that they have already taken the Canadian Firearms Safety Course and passed the test (good for life, unless the applicant is later subject to a prohibition order); or
- pass (or have already passed) the test without taking the course; or
- show that they have taken a course before January 1, 1995, approved by the Attorney General of Manitoba or Quebec; or
- have a Chief Firearms Officer certify that their knowledge of firearms laws and safe handling practices meets the standards set out in the Regulations (**only for adults who have owned a firearm since January 1, 1979**).

Individuals do not have to take the Canadian Firearms Safety Course or the Canadian Restricted Firearms Safety Course for:

- possession-only licences; or
- 60-day borrowing licences (for visitors to Canada).

Individuals who were not, by court order, allowed to have firearms must:

- take the Canadian Firearms Safety Course; and
- pass the test

if they want to apply for a licence after their court order expires (even if they have already taken the course and/or passed the test).

Canadian Restricted Firearms Safety Course (CRFSC)

To apply for a licence to obtain a **restricted** firearm, adults must:

- take the Canadian Firearms Safety Course and the Canadian Restricted Firearms Safety Course and pass the tests, or
- show that they took the Canadian Firearms Safety Course and passed the test prior to February 1, 1999 (good for life, unless the applicant is later subject to a prohibition order); or
- pass (or have already passed) the tests without taking the courses;
- have a Chief Firearms Officer certify that their knowledge of firearms laws and safe handling practices meets the standards set out in the Regulations (only for adults who have owned a firearm since January 1, 1979); or
- have passed a course approved by Solicitor-General of Manitoba and Quebec **and** pass the Canadian Restricted Firearms Safety Course.

Minors

Minors (except sustenance hunters) who use firearms must take the Canadian Firearms Safety Course and pass the test.

Licence Requirements

Except for temporary firearms borrowing licences (for non-residents), all applications must include a photograph that clearly identifies the applicant. (Exemptions exist for individuals who cannot be photographed for religious reasons.) Any photograph will do (colour or black-and-white), as long as:

- it has a plain background and shows a full front-view of the applicant's head and shoulders;
- the applicant's face is not covered by sunglasses, a hat or other objects; and
- the view of the applicant's head is at least 30 mm (1.375 in.) in length.

Licence holders must report name and/or address changes to their provincial or territorial Chief Firearms Officer, **within 30 days** of the change, by:

- calling 1 800 731-4000;
- filling out a change of information form; or
- calling their Chief Firearms Officer.

A Summary of Firearms Licence Requirements and Fees

Type of Licence	Requirements	Fees
POSSESSION ONLY • firearms owned on December 1,1998 • for adults (18 yrs or older) • must have applied by December 31, 2000	1. Not available to new applicants after January 1, 2001.	
POSSESSION LICENCE FOR MINORS • to possess non-restricted firearms • minors 12-17 yrs • sustenance hunters under 18 yrs	1. A parent or guardian must give consent. 2. The applicant and a parent or guardian must accept the conditions of the licence by signing a form, and confirm that the photo (of the applicant) with the application accurately identifies the applicant. 3. Applicants must show proof that safety course requirements have been met (does not apply to sustenance hunters). (Minors can possess or use but cannot acquire or register firearms in their name.)	• $10: 0-1 yr. • $20: 1-2 yrs • $30: over 2 yrs
POSSESSION AND ACQUISITION • to get non-restricted firearms • to get restricted firearms • to get another prohibited firearm in the same category • for adults (18 yrs or older) • also allows possession of currently-owned firearms	1. The applicant and one other person who has known the applicant for at least 1 year must sign a statement confirming that an accompanying photo (of the applicant) accurately identifies the applicant. 2. Two people (other than a spouse) must sign a statement confirming that they have known the applicant for at least three years and to the best of their knowledge and belief: • the information in the application is true; • the applicant does not pose a threat to public safety. 3. The applicant must provide the name, current address and telephone number of every spouse or common-law partner with whom the applicant has lived during the past two years. If their whereabouts are unknown, the applicant must make a written statement (on the form) to that effect. (Spouses and common-law partners will be notified about the application.) 4. There is a minimum 28-day waiting period unless the applicant has a valid FAC or licence. 5. Applicants must show proof that safety course requirements have been met. **There are additional requirements for restricted and prohibited firearms.**	• $60 for 5 yrs (non-restricted); **OR** • $80 for 5 yrs (restricted and prohibited)
TEMPORARY FIREARM BORROWING LICENCE • **for visitors to Canada (18 yrs or older)**	1. For visitors borrowing **non-restricted** firearms in Canada **– as of January 1, 2001.** 2. Applicant must be sponsored by a licensed Canadian individual or organization. 3. Applicant and or sponsor must fill out form in advance + send to Chief Firearms Officer.	• $30 for 60 days (may be renewed once at no charge)
NON-RESIDENT FIREARMS DECLARATION • **for visitors to Canada (18yrs or older)**	1. For visitors bringing firearms into Canada 2. Firearms must be declared in writing at point of entry, and confirmed by a Customs officer 3. Form should be filled out in triplicate before arriving at Customs 4. Valid for up to 60 days at a time 5. Declaration must be confirmed each time you cross the border.	• $50 • only payable once in a 12-month period. • No fee for additional declarations made in that period.

Sustenance hunters do not pay licence fees to have or get non-restricted firearms.

For details, see the *Firearms Licences Regulations* or call 1 800 731-4000.

Temporary Firearms Borrowing Licence (for non-residents)

Starting January 1, 2001, visitors 18 years and older will need a 60-day borrowing licence to **borrow** a non-restricted firearm in Canada, to:

- hunt with an outfitter, hunting service or a Canadian resident who has a hunting licence;
- shoot at an approved club or range;
- compete in a shooting competition;
- take part in an historical re-enactment, display or similar activity;
- take part in business or scientific activities in remote areas (where firearms are needed to control predators);
- use in the movie, theatre or publishing business.

Applications for temporary firearms borrowing licences must include a signed statement by a person directly involved with one of the above activities. The statement must confirm that the visitor will be using the firearm for the purpose stated on the application. Applicants (or individuals associated with one of the above activities) must apply in advance for a 60-day borrowing licence.

For more information on 60-day borrowing licences, call 1 800 731-4000.

Refusing and Revoking Individuals' Licences

If requested by the firearm owner, decisions to refuse or revoke licences may be reviewed by a provincial court judge.

Business Licences

Activities, including simple possession (by other than private individuals), that have not required a business permit in the past, may require a firearms business licence under the new law. A business licence sets out all the activities related to firearms that a business can carry out. For more information call 1 800 731-4000.

The Firearms Licences Regulations (as they apply to businesses):

- set out the purposes for which businesses (including museums) may have a licence to possess prohibited firearms, weapons, devices or ammunition;
- define what qualifies as a museum;
- require certain conditions for business licences, such as:
  - not showing or promoting violence in any ads for a firearm or weapon;
  - keeping records of all their dealings related to firearms;
  - preparing an annual inventory of all firearms, restricted and prohibited weapons, prohibited devices and ammunition, and components or parts of automatic firearms.

Licence Fees

There are many types of businesses involved with firearms. They include: museums, manufacturers, retailers, wholesalers, armoured car services and others. Fees for business licences vary depending on the type of business. For details, individuals may:

- call 1 800 731-4000; or
- contact the office of their provincial or territorial Chief Firearms Officer.

Refusing and Revoking Business Licences

A decision to refuse or revoke a business licence may be reviewed by a provincial court judge.

REGISTERING FIREARMS

The *Firearms Act* requires firearms in Canada to be registered. ***The Firearms Registration Certificates Regulations*** deal with the registration of firearms. The Regulations also deal with some of the responsibilities of the Registrar and firearm owners, with respect to registering firearms.

Authority for Regulations: *Firearms Act*, ss. 14(b), 61(1), 72, 117(a), (b) and (w)
Reference: Firearms Registration Certificates Regulations

Applying for a Registration Certificate

The *Criminal Code* requires all firearms owned on December 1, 1998, to be registered by January 1, 2003. Starting December 1, 1998:

- **all imported firearms must be registered when they enter Canada; and**
- **individuals must register any firearms that are transferred to them.**

To register, firearm owners need one of the following:

- a valid Firearms Acquisition Certificate (FAC), which serves as a licence; or
- a licence that covers the class (and for prohibited firearms, the grandfathered class) of the firearm being registered.

Identifying Firearms

When registering a firearm, owners will need to provide a description of each firearm that is being registered.

Serial Numbers and Firearm Identification Numbers (FINs)

Once a firearm has been identified and classified as non-restricted, restricted or prohibited, the Registrar will issue a registration certificate for that firearm.

Every registration certificate will have a firearm identification number.

If the firearm has a serial number that identifies the firearm from every other firearm, the FIN does not have to be placed on the firearm.

If the firearm:

- doesn't have a serial number; or
- has a serial number that, with the other characteristics of the firearm, does not allow the firearm to be identified apart from all other firearms

the owner must put the FIN on the frame or receiver of the firearm (in a place where it can be seen). (The Registrar will tell owners if they have to place the FIN on the firearm.)

FIN Placement

For firearms:

- owned on December 1, 1998; and/or
- manufactured before, but imported after December 1, 1998 (whether the firearms are in Canada on that date or imported after that date),

firearm owners must either:

- place a FIN sticker that is provided by the Registrar on their firearm; **OR**
- permanently and clearly engrave or stamp the FIN on their firearm.

For firearms made after December 1, 1998, owners must permanently and clearly engrave or stamp the FIN on the firearms.

The FIN sticker, stamp or engraving must be on a visible part of the frame or receiver unless the Registrar allows otherwise because of the following:

- the manufacturer of that type of firearm usually places the serial number so that it is not visible;
- the firearm does not have a space suitable for stamping, engraving or attaching the FIN;
- making the FIN visible would greatly reduce the value of rare or unusually valuable firearms;
- a specially licensed business has imported prohibited firearms for a short time only.

If firearm owners attach the FIN sticker to their firearms, it must be done within 30 days (or 90 days if the owners stamp or engrave the FIN on their firearms) of the date that the registration certificate was issued.

If a FIN sticker comes off a firearm or becomes impossible to read, the owner must notify the Registrar. A new sticker will be sent to the owner. As soon as the sticker arrives, it must be put on the firearm.

Registration certificates will be valid for as long as firearm owners own their firearms unless they modify them to change their class (see below).

Modifying Firearms

Firearm owners must notify the Registrar within 30 days if they:

- modify a registered firearm in a way that changes the class of the firearm; or
- make a firearm, registered as a frame or receiver only, capable of firing.

Firearm owners who modify their firearms (as described above) will need a new registration certificate that shows the changes. The fee for this will be $12.50.

These requirements may not apply to:

- the movie industry, if the modifications are in place for less than one year; or
- any business, if the modifications are in place for less than one month.

Modifications to firearms may change the class of the firearm. As a result, a non-restricted firearm may end up in the restricted class. For information on modifying firearms, call 1 800 731-4000.

Revoking a Registration Certificate

The Registrar will revoke a registration certificate if the firearm owner fails to:

- meet the requirements to mark the firearm;
- notify the Registrar of changes to the firearm; or
- fulfil any other condition attached to the registration certificate.

(Certificates may also be revoked for other good reasons.)

A decision to revoke a registration certificate can be reviewed by a provincial court judge, at the request of the firearm owner.

Registration Fees

Until January 1, 2003, there is one flat fee of $18 for all firearms that an individual owned on December 1, 1998 and that are registered at the same time.

Businesses do not have to pay to register firearms. Sustenance hunters do not have to pay to register non-restricted firearms. Call 1 800 731-4000 for more information.

The ***Conditions of Transferring Firearms and Other Weapons Regulations*** set out:

- some of the information that must be provided; and
- the steps that must be followed

when individuals or businesses transfer firearms.

Authority for Regulations: *Firearms Act,* ss. 23 (e), 24(2) (d), 26, 27 (d), 30 (a), 32 (a) (c) and 117
Reference: *Conditions of Transferring Firearms and Other Weapons Regulations*

Requirements to Transfer a Firearm

Firearm owners who want to transfer their firearms must provide the Chief Firearms Officer with the:

- names, addresses, and licence (or FAC) numbers of both parties;
- classes (non-restricted, restricted or prohibited) of the firearms;
- registration certificate numbers of the firearms.

(Transfer approval can be done by telephone in most cases. Call 1 800 731-4000.)

When **restricted firearms and prohibited handguns** are transferred, the individuals receiving the firearms must explain to the Chief Firearms Officer why they are getting the firearms. (The *Firearms Act* allows individuals to receive these firearms only for certain purposes.) For example:

- to protect life (in rare cases) or for certain work-related needs (See this Guide p. 34: Carrying Restricted Firearms.);
- for target shooting; or
- as part of a gun collection.

Individuals who are getting the firearms to add to their gun collection must satisfy the requirements set out in section 30 of the *Firearms Act* and provide the Chief Firearms Officer with:

- information about their knowledge of the firearms in their collection;
- a signed consent for periodic, reasonable inspections of the place where the firearms will be kept; and
- evidence that they meet the safe storage regulations and other requirements that apply.

Individuals getting **prohibited firearms** must already own a firearm in that same grandfathered class. For information call 1 800 731-4000.

Before authorizing a transfer, a Chief Firearms Officer will decide whether or not the transfer will affect the safety of others. When the transfer is authorized:

- the Chief Firearms Officer will issue transfer authorization numbers (TANs) to both parties;
- a new registration certificate will be issued and later mailed to the individual receiving the firearm;
- the individual receiving the firearm can then take possession of it,
- if the firearm is restricted or prohibited, the individual receiving it must obtain an authorization to transport prior to picking up the firearm. (See this guide, p.25).

Individuals transferring firearms will also need to show that the firearm registration information has been verifed **on or after**:

- **December 1, 1998 for restricted and prohibited firearms;** and
- **January 1, 2003 for non-restricted firearms**. (See "Verification" below.)

Verification

Individuals

Since December 1, 1998 restricted and prohibited firearms must be verified before they are transferred for the first time. **Starting January 1, 2003, unverified, non-restricted firearms will need to be verified before they are transferred for the first time.** An approved verifier will confirm the registration information on the firearms and the firearms can be transferred.

The Registrar will confirm registration information for currently registered firearms before owners get a new registration certificate. (The new certificate is required by the *Firearms Act*.)

Since December 1, 1998, newly imported firearms must be verified.

Businesses

Since December 1, 1998, businesses must have all firearms verified before they register them.

Sending Transfer Applications by Mail

The mail can be used in the transfer process. Both parties in the transfer must provide their name, telephone and licence (or FAC) numbers on the application form.

Individuals transferring firearms must also provide the registration certificate number of the firearm that is being transferred. (Additional information is required for restricted and prohibited firearm transfers.)

Once the application is approved, a new registration certificate will be mailed to the individual receiving the firearm. A notice will also be sent to the individual transferring the firearm, telling them that the transfer is approved. The individual who is receiving the firearm can then pick the firearm up.

(Mail order **delivery** of a firearm is subject to other requirements.)

The *Firearms Act* and the ***Firearms Records Regulations*** set out the roles of the Canadian Firearms Registry and Chief Firearms Officers about:

- keeping;
- amending; and
- destroying records.

Firearm records information is protected under federal *(Privacy Act)* and provincial legislation. The registration system uses advanced technology to protect information against tampering or unauthorized entry.

Authority for Regulations: *Firearms Act*, ss. 83(1)(f), 84, 87(1)(d) and 117 (m),(s), (w)
Reference: *Firearms Records Regulations*

Destroying Records

Except registration certificate records (which are needed if another application is made in the future), records kept:

- in the Canadian Firearms Registry; or
- by Chief Firearms Officers

cannot be destroyed until 10 years after the last action concerning that record. All other records are kept until after the death of an individual, including:

- records related to the Canadian Firearms Safety Courses, equivalency tests or certification (as being skilled in the use of firearms);
- records of prohibition orders (unless the orders have expired and the individual meets firearms safety course requirements);
- information about prohibition or protection orders from the criminal justice system (conditions related to bails, probation orders or parole, etc.).

Amendments of Records

The Registrar can correct information in the Canadian Firearms Registry. However, the Registrar must inform the Chief Firearms Officers of the changes. Chief Firearms Officers must inform the Registrar and other Chief Firearms Officers of any changes they make to their records.

Individuals can get information in the records (about themselves), by writing to:

- the Registrar, concerning records in the Registry; or
- their Chief Firearms Officer, concerning such matters as licensing.

Individuals can also request changes to their records, if the information is not correct.

STORING, DISPLAYING, TRANSPORTING AND HANDLING FIREARMS (INDIVIDUALS)

The ***Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*** deal with storage, display, transportation and handling of non-restricted, restricted and prohibited firearms.

Authority for Regulations: *Firearms Act*, s. 117 (h)
Reference: *Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*

Storing Firearms

Non-Restricted Firearms

Non-restricted firearms must be stored:

1. unloaded; **AND**

2. • unable to be fired (by using a secure locking device **or** by removing the bolt or bolt carrier); **OR**

   • locked in a sturdy, secure, container or room that cannot be easily broken open or into; **AND**

3. in a place where ammunition for the firearms **is not** easy to obtain. Ammunition can be stored with the firearm, if the ammunition is stored in a securely locked container that cannot be easily broken open or into.

Number 2 (above) does not apply if the firearms are being stored **TEMPORARILY** for predator control, in an area where it is lawful to discharge firearms.

Numbers 2 and 3 (above) do not apply if the firearms are being stored **IN REMOTE WILDERNESS AREAS. Firearms must still be stored unloaded (number 1).**

Restricted and Prohibited Firearms

Restricted and prohibited firearms must be stored:

1. unloaded; **AND**

2. • unable to be fired by using a secure locking device **and** stored in a sturdy, securely locked, container or room that cannot be easily broken open or into; **OR**

   • locked in a safe, vault or a securely-locked room built or adapted for the safe storage of restricted or prohibited firearms; **AND**

3. in a place where ammunition for the firearms **is not** easy to obtain. Ammunition can be stored with the firearm, if the ammunition is stored:

    i) in a securely locked container that cannot be easily broken open or into; **OR**
    ii) locked in a vault, safe or room specifically designed for the secure storage of restricted and prohibited firearms.

If they can be removed, **the bolts or bolt carriers must be removed from fully automatic firearms.** The bolts or bolt carriers must be kept securely locked in a separate room that cannot easily be broken into.

If fully automatic firearms are stored in locked vaults, safes or rooms, built or adapted for the secure storage of prohibited firearms, they do not need to have their bolts or bolt carriers removed.

Displaying Firearms

(There are different rules for displaying firearms at **gun shows**. See the *Gun Shows Regulations*; this Guide p. 49: Gun Shows; or call 1 800 731-4000 for more information.)

Non-Restricted Firearms - At Home and Away From Home

At home and away from home, non-restricted firearms must be displayed:

1. unloaded; **AND**

2. unable to be fired by using a secure locking device; **OR** by locking firearms in a sturdy, secure, container or room that cannot be easily broken open or into; **AND**

3. in a place where ammunition for the firearm is not displayed and not easy to obtain.

Restricted and Prohibited Firearms - At Home

At home, restricted and prohibited firearms must be displayed:

1. unloaded; **AND**

2. unable to be fired by using a secure locking device; **AND**

3. securely attached to something that cannot be moved; **AND**

4. in a place where ammunition for the firearm is not displayed and not easy to obtain.

If they can be removed, **the bolts or bolt carriers must be removed from fully automatic firearms.** The bolts or bolt carriers must be kept securely locked in a separate room that cannot easily be broken into.

Restricted and Prohibited Firearms - Away From Home

Away from home, restricted firearms must be displayed:

1. unloaded; **AND**

2. unable to be fired by using a secure locking device; **AND**

3. securely attached to the display with something strong, like a chain or metal cable, so that the firearms cannot easily be removed; **AND**

4. in a place where ammunition for the firearms **is not** easy to obtain. Ammunition can be displayed with the firearm, if the ammunition is stored in a securely locked container that cannot be easily broken open or into.

If they can be removed, **the bolts or bolt carriers must be removed from fully automatic firearms.** The bolts or bolt carriers must be kept securely locked in a separate room that cannot easily be broken into.

Firearms may be removed from the display to allow someone to handle them. However, the firearms must be under the direct and immediate supervision of the person displaying the firearms.

Transporting Firearms

Non-Restricted Firearms

All firearms, except muzzle-loading firearms, must be transported **unloaded**. Muzzle-loading firearms can be transported loaded between hunting sites, if the firing cap or flint is removed.

Individuals may leave **non-restricted firearms unattended** in their vehicles if the firearms are **unloaded and safely locked in the trunk** or a similar compartment of the vehicle. If the vehicle does not have a trunk or compartment, the vehicle must be locked and the firearms left inside, unloaded and out of sight.

In **remote wilderness areas where it is legal to discharge a firearm**, non-restricted firearms can be left in unattended vehicles that do not have a trunk or similar compartment, if the firearms are:

- unloaded; and
- out of sight.

If:
- your vehicle does not have a trunk or similar compartment, and
- your firearms cannot be locked inside,

the firearms must also be unable to be fired by using a secure locking device, **unless they are required for predator control**.

Restricted and Prohibited Firearms

Restricted and prohibited firearms must be transported:

1. with a valid Authorization to Transport (See this Guide p.25: Authorizations to Transport Restricted and Prohibited Firearms.); **AND**

2. unloaded; **AND**

3. unable to be fired by using a secure locking device; **AND**

4. locked in a heavy-duty, non-see-through container that cannot be easily broken open or into during transport.

Fully automatic firearms must be transported with the bolts or bolt carriers removed (if the bolts or bolt carriers can be removed with reasonable facility).

The container (carrying the restricted and prohibited firearms) can be left **unattended** in a vehicle's locked trunk or similarly locked compartment. If the vehicle does not have a trunk or compartment, lock the vehicle and leave the container inside and out of sight.

Transporting Replica Firearms

Replica firearms must be transported in a vehicle's locked trunk or similar compartment. If the vehicle does not have a trunk or compartment, lock the vehicle and leave the firearms inside and out of sight.

Storing, Displaying and Transporting Antique Firearms

Antique firearms are exempt from licensing and registration requirements. However, under the *Firearms Act* antique firearms must be stored, displayed and transported **unloaded**.

Antique firearms may be left unattended in a vehicle's locked trunk or similar compartment. If the vehicle does not have a trunk or compartment, lock the vehicle and leave the firearms inside and out of sight.

Handling (and Loading) Firearms

Firearms may only be loaded or handled loaded in areas where firearms can be lawfully discharged.

Shipping Firearms by Mail

Individuals can send firearms by mail only if:

- the firearms are **non-restricted** (Restricted and prohibited firearms cannot be shipped by mail.);
- the destination is **within Canada**; and
- the firearms are mailed using the most secure service offered by Canada Post, that includes the requirement of a **signature on delivery**.

AUTHORIZATIONS TO TRANSPORT RESTRICTED AND PROHIBITED FIREARMS

The ***Authorizations to Transport Restricted Firearms and Prohibited Firearms Regulations*** add to the areas of the *Firearms Act* that deal with:

- issuing;
- refusing; and
- revoking

authorizations to transport firearms.

Authority for Regulations: *Firearms Act*, s. 117
Reference: *Authorizations to Transport Restricted Firearms and Prohibited Firearms Regulations*

Authorization to Transport

The Authorization to Transport replaces the former Permit to Transport, Permit to Convey and in some cases, Permit to Carry. The Authorization to Transport allows **restricted** and **prohibited** firearms to be transported between two or more specific places. The Authorization to Transport will only be issued if the transportation of restricted or prohibited firearms will not endanger anyone. Applicants will need to provide the following information when they apply:

- a description of the particular restricted/prohibited firearms that will be transported;
- the period of time when the firearms will be transported;
- the places, to and from home, that the firearms will be transported (a reasonably direct route); and
- the reasons for transporting the firearms.

When transporting any firearm, individuals must meet the requirements of *the Storage, Display Transportation and Handling of Firearms by Individuals Regulations.* (Also see this Guide p.20: Storage, Display, Transportation and Handling of Firearms by Individuals.)

Revoking Authorizations to Transport

Authorizations to transport will be revoked if the:

- licence to possess any of the firearms referred to in the Authorization is revoked or expires; or
- licence holder's physical or mental state changes and the individual becomes a danger to himself (or herself) or others.

Transporting Prohibited Firearms

Under the *Firearms Act*, target shooters can only get an authorization to transport (for regular use at a shooting range) grandfathered prohibited handguns, with:

- a barrel length of 105 mm or less; or
- 25 or 32 calibre.

But, in the *Special Authority to Possess Regulations* (*Firearms Act*), there is authority for Chief Firearms Officers to permit the occasional transport of other prohibited firearms to shooting ranges. (Also, see this Guide p.32: Special Authority to Possess.)

STORING, DISPLAYING, AND TRANSPORTING FIREARMS AND OTHER WEAPONS (BUSINESSES)

The ***Storage, Display and Transportation of Firearms and other Weapons by Businesses Regulations*** deal with:

- storage;
- display; and
- transportation.

Authority for Regulations: *Firearms Act*, s. 117(h) (i) and (o)
Reference: *Storage, Display and Transportation of Firearms and other Weapons by Businesses Regulations*

Storing Firearms

Non-restricted and Restricted Firearms and Prohibited Handguns

Businesses may store these firearms only if the firearms are:

1. unloaded; **AND**

2. securely stored in a:

    i) locked cabinet, vault or safe; **or**
    ii) locked location; **or**
    iii) place that is readily accessible only to the owner or employees; **AND**

3. stored on premises where:

    i) there is an electronic burglar alarm system; **and**
    ii) where every window and exterior door can be securely locked.

OR

4. in another equally or more secure location that is approved (in writing) by the Chief Firearms Officer of the province or territory.

Other Prohibited Firearms

The same Regulations apply to other prohibited firearms and their components or parts.

Storage Businesses

Businesses that store firearms other than those in their business inventory as part of business operations (for example, a business that offers storage services for its clients), must store the firearms unloaded and:

1. away from firearms that are being offered for sale or held for maintenance or repairs; **AND**

2. out of sight of any place accessible to the public.

Displaying Firearms

Non-Restricted Firearms

Businesses, other than museums, must display non-restricted firearms:

- unloaded; **AND**
- with a cable or chain through the trigger guard and attached at both ends to a wall or permanent fixture so that it can only be removed by the owner or an employee; **OR**
- attached to a metal bar, with one end of the bar attached to a wall or permanent fixture and the other end locked to a wall or permanent fixture, so that it can only be removed by the owner or an employee; **OR**
- unable to be fired by using a secure locking device and displayed in a locked display case or cabinet; **OR**
- unable to be fired by using a secure locking device and displayed in a place that is easily accessible only to the owner or employees; **OR**
- in any other equally or more secure way that is approved (in writing) by the Chief Firearms Officer of the province or territory.

Museums must display non-restricted firearms unloaded and under conditions that are:

1. equally or more secure than those required of other businesses (above); **AND**

2. approved (in writing) by the Chief Firearms Officer of the province or territory.

Non-restricted firearms may be removed from the display to allow someone to handle them. The firearms must be unloaded and under the direct and immediate supervision of an employee or owner of the business (or museum).

Restricted and Prohibited Firearms

Businesses, other than museums, must display restricted and prohibited firearms:

1. unloaded; **AND**
2. unable to be fired by using a secure locking device; **AND**
3. in a locked display case or cabinet.

Businesses, other than museums, must never display restricted and prohibited firearms in a store window.

Prohibited firearms (other than prohibited handguns) must be displayed as described above **and** in a place that is easily accessible only by the owner or employees.

Museums must display restricted and prohibited firearms unloaded and under conditions that are:

1. equally or more secure than those required of other businesses; **AND**
2. approved (in writing) by the Chief Firearms Officer of the province or territory.

Restricted and prohibited firearms may be removed from their display to allow someone to handle them. The firearms must be unloaded and under the direct and immediate supervision of an employee or owner of the business (or museum).

Transporting Firearms

Non-Restricted and Restricted Firearms and Prohibited Handguns

Businesses must transport all non-restricted and restricted firearms and prohibited handguns:

1. unloaded; **AND**
2. in a container that is:
    i) sturdy (so that it cannot be easily broken open or into during transportation);
    ii) non-see-through with no exterior markings to suggest that it contains a weapon, prohibited device or ammunition (unless the markings are a name or an address or the container and contents are being imported into, or exported from, Canada).

If vehicles transporting the firearms are left unattended, the container holding the firearms may be left unattended in a vehicle's locked trunk or similar compartment. If the vehicle does not have a trunk or compartment:

- lock the vehicle; and
- leave the container inside and out of sight.

Prohibited Firearms, Restricted and Prohibited Weapons, Prohibited Devices and Prohibited Ammunition

Businesses must transport all prohibited firearms other than prohibited handguns, (as well as restricted and prohibited weapons, prohibited devices and prohibited ammunition):

1. unloaded; **AND**

2. in a container that is:

    i) sturdy (so that it cannot be easily broken open or into during transportation);

    ii) non-see-through with no exterior markings to suggest that it contains a weapon, prohibited device or ammunition (unless the markings are a name or an address or the container and contents are being imported into, or exported from, Canada);

    iii) sealed (so that it cannot be opened without breaking the seal and showing that it has been opened).

If the vehicles transporting the firearms are left unattended, the container holding the firearms may be left unattended in a vehicle's locked trunk or similar compartment. If the vehicle does not have a trunk or compartment:

- lock the vehicle; and
- leave the container inside and out of sight.

If the bolts or bolt carriers can be removed with reasonable facility, transport automatic firearms with the bolts or bolt carriers removed.

Carrier Companies

Carrier companies require a firearms business licence if they transport firearms and certain weapons. In addition to the transport requirements above, carriers transporting prohibited firearms (other than prohibited handguns) must:

1. provide communications devices (cell phones, radios, etc.) for employees escorting the shipments; and

2. maintain:

    - records of the firearms in the shipment;
    - shipment routes;
    - names of employees accompanying the shipments; and
    - names and addresses of warehouses where shipments may be temporarily stored during transport.

Special rules apply to motion picture, video, television or theatrical productions. For more information call 1 800 731-4000.

Shipping Firearms by Mail

Businesses can send firearms by mail only if:

- the firearms are **non-restricted** (Restricted and prohibited firearms cannot be shipped by post.);
- the destination is **within Canada**; and
- the firearms are mailed using the most secure service that is offered by Canada Post, that includes the requirement of a **signature on delivery**.

Under the *Firearms Act*, target shooters can only get an authorization to transport, for target shooting purposes for certain prohibited firearms. These are grandfathered handguns:

- with a barrel length of 105 mm or less; or
- 25 or 32 calibre.

The ***Special Authority to Possess Regulations (Firearms Act)*** allow the **occasional** transport of other prohibited firearms to shooting ranges. The Regulations also allow the manufacture and temporary possession of replica firearms by persons other than specially licensed businesses.

Authority for Regulations: *Firearms Act*, s. 117 (i), (k) and (m)
Reference*: Special Authority for Regulations to Possess Regulations* (*Firearms Act)*

Manufacturing Replicas

Since December 1, 1998, replica firearms are considered prohibited devices. Individuals can keep replica firearms they already own. But, only businesses with a purpose set out in the *Firearms Licences Regulations* (such as movie and theatre supply businesses) can obtain more replicas.

The ***Special Authority to Possess Regulations*** allow individuals or businesses (other than those specially licensed to do so) to make replicas and transfer them to businesses (such as movie and theatre supply businesses), whose licence allows the possession of prohibited devices.

Individuals or businesses that make replica firearms must:

- keep a record of the replicas they make or transfer; and
- make sure that one of their workers is in charge of the replicas' use, storage and handling.

Replica firearms must be stored in containers, vaults, safes or rooms that:

- are secure;
- are locked; and
- cannot be easily broken into.

Temporary Transfers ("Loaning") of Replica Firearms

Replica firearms may be temporarily transferred to:

- individuals in the motion picture, television, video, theatrical or publishing industry; or
- Canadian Firearm Safety Course instructors.

Transferors (lenders) must:

- keep a record of what is transferred, and when; and
- make sure that the individuals or businesses receiving replicas are aware of the Regulations and of the offence provisions in the *Criminal Code* and *Firearms Act* that deal with replica and imitation firearms.

Borrowers must keep a record of what is borrowed, and when, and take charge of (or assign a person to take charge of) the safe storage of the replicas.

Loans (as described above) cannot go over one year. They can be extended one additional year if the records about the loans are updated. Records must be available, on demand, to the Chief Firearms Officer.

Transporting Prohibited Firearms

The ***Special Authority to Possess Regulations (Firearms Act)*** allow Chief Firearms Officers to authorize grandfathered owners of prohibited firearms* to transport the firearms to a shooting range or other location, on an occasional basis, for the:

- occasional test firing or demonstration of **automatic firearms** at a Department of National Defence range;
- occasional test firing, demonstration, target shooting/competition of **prohibited firearms** at an approved shooting range (or a Department of National Defence range);
- transporting **prohibited firearms** to the border for an event out of the country; or
- transporting **prohibited firearms** to an approved verifier for verification.

Owners of prohibited firearms must apply for this authority each time they want to transport their firearms to a special event. On the way to and from the event they must use a fairly direct route.

**This refers to prohibited firearms, other than prohibited handguns. Under the* Firearms Act, *target shooters can get an authorization to transport (for target shooting purposes) grandfathered handguns with:*

- *a barrel length of 105 mm or less; or*
- *25 or 32 calibre.*

The **Authorizations to Carry Restricted Firearms and Certain Handguns Regulations** explain when individuals can apply for an **authorization to carry restricted firearms or prohibited handguns, on their person**, to:

- protect their life or the life of others in special circumstances; or
- for certain special jobs.

(Applications for these authorizations must be directed to the Chief Firearms Officer of the applicant's province or territory. The Chief Firearms Officers will issue each authorization. **Very few of these authorizations are issued in Canada.)**

The Regulations describe:

- the limited situations that allow for an authorization to carry a restricted firearm or a prohibited handgun to protect life;
- the special jobs that allow an authorization to carry a restricted firearm or a prohibited handgun; and
- the training requirements and other conditions for those allowed to carry a restricted firearm or a prohibited handgun.

Authority for Regulations: *Firearms Act*, ss. 20, 117
Reference: *Authorizations to Carry Restricted Firearms and Certain Handguns Regulations*

Reasons that Permit the Carrying of Restricted Firearms and Prohibited Handguns

Personal

Individuals may be authorized to carry restricted firearms or prohibited handguns:

- if their lives or the lives of others are in immediate danger from another person (or persons);
- police cannot provide enough protection; and
- applicants can justify their need for such a firearm.

Work

Individuals may be authorized to carry restricted firearms and prohibited handguns in certain jobs, if they:

- handle, transport and protect valuables, money, etc. and need firearms to protect their lives or the lives of others while working;
- work in a remote wilderness area and need firearms to protect their lives or the lives of others from wild animals;
- work as licensed trappers and are authorized and trained (if required) to trap according to the laws of the province or territory in which they trap.

If an authorization to carry is issued for self-protection or to protect valuables (armoured car guards, etc.), a Chief Firearms Officer must make sure that:

- the individuals have successfully completed specialized firearm and use of force training; and
- the firearm is suitable for the purpose of the job.

Authorization to Carry Conditions

The following authorizations to carry conditions must be followed:

- the restricted firearms or prohibited handguns must be carried in a holster;
- individuals carrying restricted firearms or prohibited handguns for job-related reasons must tell the Chief Firearms Officer when they are no longer working in that job;
- individuals whose work involves valuables (handling, transporting, protecting, etc.) must wear uniforms; and
- only one firearm can be carried at a time.

Revoking Authorizations to Carry

Authorizations to carry will be revoked if the:

- licence to possess any of the firearms listed in the authorization is revoked or has expired;
- physical or mental state of the holder changes so that it endangers their safety or the safety of others; or
- holder no longer works in the job for which the authorization was issued.

IMPORT AND EXPORT OF FIREARMS (INDIVIDUALS BRINGING FIREARMS INTO AND TAKING THEM OUT OF CANADA, FOR THEIR OWN USE OR FOR OTHER PURPOSES)

Sections of the *Firearms Act* and the *Importation and Exportation of Firearm Regulations (Individuals)* affect people who cross the border with firearms. The Regulations explain:

- how Canadian residents and non-residents must declare firearms that they bring into, or take out of Canada;
- how Customs officers will confirm a declaration of firearms, so that individuals can cross the border with firearms; and
- how detained or seized firearms will be disposed of.

The rules affecting visitors who bring firearms to Canada came into effect on January 1, 2001. The rules affecting the export of firearms by a non-resident, and the import and export of firearms by a Canadian resident, will not come into effect until January 1, 2003.

For more information call Canada Customs at **1-800-461-9999 (within Canada).** If calling **from outside Canada, call (204) 983-3500 or (506) 636-5064.**

Authority for Regulations: *Firearms Act*, ss. 35 and 37 to 42, and 117 (w)
Reference: *Exportation and Importation of Firearms Regulations (Individuals)*

Non-Residents Importing Firearms

As of January 1, 2001, visitors must declare to a Customs officer, in person and in writing, any firearms they bring into Canada. Visitors under 18 years of age cannot bring firearms into Canada.

A Customs officer may accept a declaration by telephone, or by any other means of oral communication, if:

- a visitor is at a remote location;
- the firearm is non-restricted;
- the firearm and the visitor can be identified by such an oral declaration; and
- safety is not in question.

Once a visitor makes a declaration and a Customs officer confirms it, the officer will give the visitor a confirmation number (orally or in writing). The confirmed declaration is valid for up to 60 days and costs $50. (Firearms must be declared at each crossing, but the fee is only payable once in a 12-month period.) Frequent visitors can apply for a Canadian possession and acquisition licence (valid for five years).

Visitors importing restricted firearms will need an Authorization to Transport before they can enter the country with their firearms. The Customs officer must confirm the Authorization to Transport (Also, see this Guide p.25: Authorizations to Transport Restricted and Prohibited Firearms.)

Non-Residents Exporting Firearms

Starting January 1, 2003, to take out firearms that were brought into Canada, visitors must:

- declare the firearms; and
- have the confirmed declaration that allowed the firearms into Canada (entry declaration).

If that entry declaration was made in writing, the exit declaration (to take firearms out) may be delivered either:

- in person to a Canadian Customs officer; or
- to a specified location.

If the entry declaration was made orally, the confirmation number can be given to a Customs officer orally or in writing. Visitors will be given, orally or in writing, another confirmation number to export the firearms.

Visitors who do not comply with the requirements of the *Act* may have their firearms detained by Customs officers.

Residents Importing Firearms

Only residents with a valid firearms licence may bring firearms into Canada.

Starting **January 1, 2003**, residents must declare to a Customs officer, in person and in writing, any firearms they bring into Canada (including personal firearms they are bringing back into Canada).

A Customs officer may accept an oral declaration **for firearms being brought back into the country** if:

- the firearms are non-restricted;
- the resident and firearms can be identified by oral declaration; and
- safety is not in question.

Residents must show that they exported their firearms in accordance with the *Firearms Act,* before they can bring them back into Canada. Once the declaration is accepted, the Customs officer will supply a confirmation number.

Firearms being imported into Canada for the first time must be declared in writing. Individuals importing firearms will need:

- a possession and acquisition licence; and
- the approval of the Chief Firearms Officer.

The confirmed declaration from the Customs officer will serve as a temporary registration certificate until a new certificate is issued.

Residents Exporting Firearms

Starting January 1, 2003, residents must declare in writing, to a Canadian Customs officer, any firearms being taken out of the country.

A Customs officer may accept an oral declaration if:

- the firearm is non-restricted;
- the resident and the firearms can be identified by oral declaration; and
- safety is not in question.

The Customs officer will give a confirmation number to the resident making the declaration. If the exported firearms are **prohibited or restricted**, the Customs officer must provide the confirmation in writing.

Replica Firearms

Residents exporting replica firearms must declare them orally or in writing, including their:

- name;
- address; and
- telephone number.

A description of the replicas, including how many are being exported, must be included in the declaration. **Once replicas are exported, individuals cannot bring them back into Canada.**

IMPORT AND EXPORT OF FIREARMS (BUSINESSES)

Under the *Firearms Act* and the ***Authorization to Export or Import Firearms Regulations (Businesses)***, businesses and museums need to obtain an authorization every time they import or export:

- firearms;
- certain components or parts of automatic firearms;
- prohibited devices;
- prohibited weapons;
- prohibited ammunition; and
- restricted weapons.

These regulations will come into effect on January 1, 2003.

The Authorization to Export or Import Firearms Regulations (Businesses) describe how:

- the outer packaging of shipments must be labelled;
- detained firearms or prohibited goods must be disposed of; **AND**
- authorizations are refused or revoked.

For more information call Canada Customs at 1-800-461-9999 (within Canada).

Authority for Regulations: *Firearms Act*, ss. 43 to 53; 117 (a),(b) and (i) and 117(k) (iii)
Reference: *Authorization to Export or Import Firearms Regulations (Businesses)*

Applying for Authorization to Import/Export Firearms

Forms to import/export firearms will set out the application requirements.

Businesses or museums that want to import or export:

- prohibited firearms;
- certain components or parts of automatic firearms;
- prohibited devices;
- prohibited weapons; and
- prohibited ammunition

must be specially licensed to possess these items.

Businesses (or museums) that want to import or export these items must include the purpose for doing so in their application (for the authorization to import/export). They (the businesses or museums) must also include a description of the goods (including the quantity) that identifies their classification as set out in section 84 (1) of the *Criminal Code*.

Packaging Requirements for Exporting and Importing Firearms

Businesses (or museums) importing or exporting:

- prohibited firearms;
- certain components or parts of automatic firearms;
- prohibited devices;
- prohibited weapons;
- prohibited ammunition

must include a description of the goods (including the quantity) that identifies their classification as set out in section 84 (1) of the *Criminal Code*. Businesses must also mark the outer packaging of firearms in a machine readable form (such as a bar code) that describes the:

- make;
- model;
- serial number (if any); and
- FIN (if the firearms are registered).

Refusing or Revoking an Authorization

The Registrar may revoke an authorization to export or import at any time until a Customs officer confirms it. If a Customs officer refuses to confirm an authorization, reasons must be given in writing to the business.

BUYING AMMUNITION

Since January 1, 2001, individuals who want to buy or receive ammunition must have a firearms licence.

This includes:

- *a valid FAC*
- *a possession-only licence*
- *a possession and acquisition licence*
- *a minor's licence*
- *a non-resident's temporary borrowing licence*
- *a non-resident's confirmed declaration*

SHOOTING CLUBS AND SHOOTING RANGES

The ***Shooting Clubs and Shooting Ranges Regulations*** explain what shooting clubs and ranges must do to be approved and to operate. Starting January 1, 2003, the *Firearms Act* will require all shooting ranges in Canada, including ranges for long guns to have an approval from a provincial minister. The *Shooting Clubs and Shooting Ranges Regulations* **apply** to all ranges, except those that are:

- part of a licensed business and used only by business owners and employees with a licence to acquire restricted firearms; or
- used only by public agents for job-related purposes.

Authority for Regulations: *Firearms Act*, ss. 29 and 117 (d) and (e)
Reference: *Shooting Clubs and Shooting Ranges Regulations*

Approval Requirements for Shooting Ranges

Anyone who wants to open or operate a shooting range must get approval from their provincial minister, usually through the Chief Firearms Officer before January 1, 2003. There is no fee for this approval. Applicants must provide:

- their name, address and phone number (plus fax number and e-mail address if they have one);
- the name, address, phone number and firearms licence number or date of birth of each owner or operator, and of each employee who will be handling firearms;
- the location of the range, including the road directions to reach it;
- the hours of operation of the range;
- a document showing the:
  - geographical location and layout of the range
  - area around the range
  - land use of the surrounding area;
- the proposed safety rules;
- evidence of at least $2 million of commercial general liability insurance;
- evidence that applicable zoning laws are being followed;
- evidence that operating licences required by federal, provincial or municipal laws have been obtained and are being followed;
- evidence that environmental protection laws (that apply) are being followed; and
- evidence that the safety standards (that apply) are being followed. (See next page: Safety Standards and other Obligations.)

Safety Standards and Other Obligations

Operators of approved shooting ranges must make sure that:

- the design and operation of the range are such that projectiles discharged from firearms will not leave the range (if they are discharged in accordance with the safety rules);
- the design and operation of the range generally protect the safety of those on the range (in particular, that the design of the range is suitable for the shooting activities and firearms allowed on the range);
- there is a system to warn individuals that they are entering a shooting range and to alert them if the range is in use;
- the safety rules are suitable for the shooting activities and firearms allowed on the range;
- the safety rules are posted in a noticeable place; and
- a range officer is assigned to supervise the firing line, if more than one person is shooting.

Safety Training

Shooting range operators must make sure that range safety rules are explained to first-time range users. First-time users may not use the range until they have this information.

Maintaining Safety

Every five years, range operators must give the Chief Firearms Officer updated copies of the documents that were required for the approval of the range. The Chief Firearms Officer may request proof more frequently, but not more than once a year, unless the Chief Firearms Officer has:

- reasonable concerns about the safe operation of the range; or
- received a personal injury report or a report of any modifications that have taken place within the past year. (See next page: Reporting Shooting Range Modifications.)

Personal Injury Reports

Shooting range/club operators must report any personal injuries that result from the discharge of a firearm on the range. They must inform the local police as soon as possible and inform the Chief Firearms Officer within 30 days. The report must include:

- the date, time and place of the incident;
- the names of the people involved;
- the name of the range officer on duty at the time (if an officer was on duty);
- whether or not medical attention was sought; and
- a general description of the incident (including how it happened, if known).

Reporting Shooting Range Modifications

Shooting range operators must advise the Chief Firearms Officer of:

1. changes to the range, including:
    - planned changes to the physical layout of the range;
    - planned or unplanned changes to the range or surrounding area that might affect safety; and
2. changes in operating permits or licences issued under provincial, or municipal laws.

Range Users (Certain Firearms)

Anyone who uses **restricted firearms or prohibited handguns** on a shooting range must be:

- a member or officer of an approved shooting club;
- a guest of either a member or officer; or
- a non-resident (visiting Canada) who belongs to a known shooting organization or who is a guest of a member or officer.

Approval Requirements for Shooting Clubs

The Shooting Clubs and Shooting Ranges Regulations apply only to **shooting clubs whose activities include target shooting with restricted firearms or prohibited handguns.**

Individuals who want to set up or operate a shooting club must get approval from their provincial minister. This is usually done through the Chief Firearms Officer of the province or territory in which the club will be located. There is no fee for this approval. In their request for approval, applicants must give:

- their name, address and phone number (plus fax number and e-mail address if they have one);
- the name, address and phone number of each member and officer of the club, as well as their firearms licence number or date of birth;
- evidence that the shooting club is a non-profit organization;
- evidence that the shooting club has permission to use at least one approved shooting range;
- the name and address of each approved shooting range that the shooting club uses;
- evidence of at least $2 million of commercial general liability insurance.

Membership and Target Shooting Records

Shooting clubs must keep records of anyone who uses **restricted firearms and prohibited handguns** in club activities. In this way, members and guests can provide proof of target shooting activities when they renew their licence for **restricted firearms and prohibited handguns** (as required by the *Firearms Act*). Shooting clubs must keep records for **a six-year period** that include the:

- names of their members, officers and guests;
- addresses of their members, officers and guests;
- phone numbers of their members, officers and guests;
- membership card numbers for members and officers;
- firearms licence numbers or dates of birth for members and officers; and
- firearms licence numbers for guests (if they have one).

Shooting clubs must provide (if requested by the individuals or the Chief Firearms Officer) a written description of members', officers' or guests' target shooting activities at the club **over the last five years.**

The ***Public Agents Firearms Regulations*** explain how the law affects public service agencies and public agents who handle firearms or ammunition as part of their duties. The Regulations set requirements for matters including:

- storing firearms and certain weapons;
- recording firearms with the Registrar;
- reporting certain events, including the loss, theft, finding or seizure of firearms; and
- training public agents who handle or use firearms.

The Regulations also make it an offence for Public Agents to break storage rules.

Authority for Regulations: *Firearms Act*, ss. 117 (l) and (m)
Reference: *Public Agents Firearms Regulations*

Storing Firearms

Public service agencies must store firearms in a secure, locked container, vault, safe or room.

Public agents must follow safe storage rules for individuals when they store an agency firearm at home, unless their duties require quick access to their firearm. In these situations, public agents must get specific written instructions from a designated individual at the agency on how to store the firearm.

It is an offence to store a firearm in a way that has not been authorized or that does not meet the standards (when they apply) as set out in the safe storage Regulations (*Storage, Display, Transportation and Handling of Firearms by Individuals Regulations).*

Training

Public agents must receive training suitable to their duties before they store, transport, handle or use firearms. Their employer is responsible for providing this training.

Reporting Firearms to the Registrar

Public agencies must get an agency identification number from the Registrar. Firearms owned by government agencies must be recorded with the Registrar under the agency identification number. Public service agencies will have until January 1, 2003, to provide the Registrar with a complete inventory of all the firearms in their possession. This includes:

- firearms owned by the agency; and
- firearms that the agency has because they have been found, seized, etc.

Identifying and Marking Firearms

To identify the firearms, public agency inventories must include the:

- serial number (if any); and
- make, model, type, action, calibre, barrel length, manufacturer (if different from make) and number of shots of each firearm.

The Registrar will assign a FIN to each firearm. The FIN must be permanently and clearly stamped or engraved on a visible part of the frame or receiver of agency-owned firearms (other than those firearms used solely for undercover operations) that:

- do not have a serial number; or
- have serial numbers that are not unique.

Protected Firearms

Beginning January 1, 2003, agencies that take possession of "protected" firearms, (firearms that the agencies are responsible for, but do not own), must:

- give any information concerning the firearms to the Registrar within 30 days;
- say whether the firearms were found, seized, surrendered, etc.; and
- attach the FIN sticker (if they do not have serial numbers or FINs already attached to them) to a visible part of the frame or receiver.

Changing Public Agencies Firearm Inventories

There are different ways public agencies' firearm inventories can change. Firearms can be imported, exported, lost, acquired, transferred, destroyed or modified to change their class. All inventory changes must be reported to the Registrar, including the:

- case reference (if it applies);
- agency name and identification number; and
- serial number or FIN, make, model, type, action, calibre, barrel length, manufacturer (if different from make) and number of shots of each firearm.

Importing and Exporting Firearms

Public service agencies do not need the Registrar's approval to import or export firearms. However, they must report imports and exports to the Registrar and declare all firearms to Customs.

Disposing of Firearms

Public service agencies cannot sell firearms to the public. Public agencies that want to dispose of firearms must first offer them to their provincial or territorial Chief Firearms Officer and then to the Registrar for:

- destruction; or
- distribution for scientific, research, historical or educational purposes.

If neither the Chief Firearms Officer nor the Registrar wants the firearms, public agencies can advise the Registrar that they are selling the firearms to another public agency. If not, public agencies must destroy them. The agencies must tell the Registrar how, when and where firearms will be destroyed.

The ***Gun Shows Regulations*** will come into effect on January 1, 2003. The regulations explain:

- who can sponsor gun shows;
- the requirements and responsibilities of sponsors; and
- the responsibilities of exhibitors.

Authority for Regulations: *Firearms Act*, ss. 117 (g)(h) and (o)
Reference: *Gun Shows Regulations*

Gun Show Sponsors

Gun shows must have sponsors. Sponsors can be:

- **individuals** who can show that they are citizens or permanent residents of Canada;
- **associations** that can show that a majority of their officers are citizens or permanent residents of Canada;
- **businesses** that can show that they carry on business in Canada.

Requirements for Gun Show Sponsors

Sponsors must be approved by, and obtain a business licence (that authorizes the sponsorship of a **single gun show***) from, the Chief Firearms Officer of the province or territory where the show will take place.

*A gun show is a **single gun show**, requiring one business licence authorizing sponsorship of that gun show, if it:

- takes place on one day or over several days (consecutive or not);
- is covered by a single sponsorship; and
- is held at a single location.

Requesting Approval to Sponsor a Gun Show

Individuals, businesses and organizations who want to sponsor a gun show, must apply to the Chief Firearms Officer at least **60 days before** the planned show date. Applicants must give:

- their name, address and phone number (plus fax number and e-mail address if they have one);
- the planned location, date and show hours;
- a list of possible exhibitors, including names, addresses, firearms licence numbers, classes of firearms to be displayed or sold, and whether or not the exhibitors intend to sell the firearms; and
- details of the security plans for the place where the firearms will be displayed and stored.

Responsibilities of the Sponsor

At least **3 days before** the show, approved sponsors must:

- give a list of exhibitors (including names, addresses, firearms licence numbers, and classes of firearms to be displayed or sold) to the Chief Firearms Officer;
- give a floor plan (indicating exhibitors' tables or booths, with names and numbers) to the Chief Firearms Officer; and
- tell the local police that a gun show will be held (giving the planned location, date and hours of operation of the show).

At least **1 day before** the show, if there have been changes to the list of exhibitors, approved sponsors must:

- give the final list of exhibitors (including names, addresses, firearms licence numbers, and classes of firearms to be displayed or sold) to the Chief Firearms Officer.

During the show the sponsor must:

- post the licence to sponsor the show in a noticeable spot;
- be (or have a designate) on duty, on site, at all times;
- provide 24-hour security for the area;
- make sure that exhibitors safely store and display their firearms (as set out in the Regulations); and
- make sure that each firearm exhibition table or booth is supervised at all times by an adult (18 years or older) who holds a firearms licence.

Responsibilities of Exhibitors

Exhibitors must:

- make sure that their display booth is supervised at all times, by an adult with a firearms licence;
- keep a record of all sales they make at the show, [separate from other sales records, if they operate a retail (or wholesale) business elsewhere];
- display firearms:
    - i) unloaded;
    - ii) securely attached to the display with something strong, like a chain or metal cable, so that the firearms cannot easily be removed;
    - iii) unable to be fired by using a secure locking device (non-restricted firearms require a locking device only if they are detached from their display);

iv) in a place where ammunition for the firearm is not displayed and not easy to obtain. If the ammunition is securely locked in a sturdy container that cannot easily be broken open or into, it can be displayed with the firearm.

If they can be removed, **the bolts or bolt carriers must be removed from fully automatic firearms.** The bolts or bolt carriers must be kept securely locked in a separate room that cannot easily be broken into.

Firearms can be removed from the display to allow someone to handle them, if they are:

- secured with locking devices; and
- under the direct and immediate supervision of the person displaying the firearms.

Everyone at a gun show must store their firearms:

- unloaded; and
- in a securely locked place, that can be entered only under the supervision of the sponsor (or the sponsor's delegate).

Revoking Gun Show Approvals

Chief Firearms Officers may revoke an approval to sponsor a gun show only if:

- the sponsor does not follow the *Gun Show Regulations*; or
- the show poses a safety problem.

Gun Show Fees

The business licence fee for gun show sponsors is $50 per show. The fee for businesses that exhibit at out-of-province gun shows is $25 per show.

The *Firearms Act* and Regulations apply to everyone. However, the law has been adapted for Canada's Aboriginal peoples because of their traditional hunting lifestyles, which are included in the Aboriginal and treaty rights recognized by the Constitution. The ***Aboriginal Peoples of Canada Adaptations Regulations (Firearms)*** set out the adaptations.

The *Aboriginal Peoples of Canada Adaptations Regulations (Firearms)* should be read with the *Firearms Act* and the *Firearms Licences Regulations*.

Authority for Regulations: *Firearms Act*, s. 117(u)
Reference: *Aboriginal Peoples of Canada Adaptations Regulations (Firearms)*

Licensing

Aboriginal individuals who want the adaptations to apply to them must apply for a firearms licence as an "Aboriginal individual".

Applicants must declare that they:

- are members of one of the Aboriginal peoples of Canada (Indian, Inuit or Métis, or beneficiaries under a land claims agreement referred to in section 35 of the *Constitution Act, 1982*.);
- are members of an Aboriginal community; and
- take part in the traditional hunting practices of their community (a fact that must be confirmed by an Elder or leader of the applicant's community).

Aboriginal applicants (or Aboriginal persons giving a statement on an applicant's behalf) unable to write a statement in English or French, can make an oral statement or a statement with the help of an interpreter.

Possession-Only Licences

Aboriginal applicants do not have to own a firearm to get a possession-only licence. Applicants who, on December 1, 1998, have the communal use of non-restricted firearms for traditional hunting can apply for a "possession-only" licence.

Applying for a Licence

To get a firearms licence, applicants must not be a safety risk to themselves or to others. If there are possible safety concerns about an applicant, the Chief Firearms Officer will investigate. However, the applicant can submit advice from the community Elder or leader, about the importance of traditional hunting to the applicant.

Conditions restricting the use of firearms can be attached to an individual's firearms licence. A Chief Firearms Officer who is considering attaching conditions must give the Aboriginal applicant a chance to submit advice from an Elder or leader of the community about the importance of traditional hunting to the applicant.

Licences for Aboriginal Minors Under 12 Years of Age

Aboriginal individuals under 12 years of age, can (under certain conditions) obtain a possession licence for minors to take part in traditional hunting. (For more information call 1 800 731-4000 or contact the provincial or territorial Chief Firearms Officer.)

Alternate Safety Certification

To get a possession and acquisition licence for non-restricted firearms, applicants must complete the Canadian Firearms Safety Course and pass the test, or be certified in another way (alternate certification). Adult Aboriginal traditional hunters may be alternatively certified if:

- they are Elders; or
- the Chief Firearms Officer has the advice of an Elder or leader of the individual's community that the individual has enough firearms knowledge to be considered for certification in this way and the course is not reasonably available due to time, location, cost or hardship.

Aboriginal **minors** can be alternatively certified if the Chief Firearms Officer has the advice of an Elder, leader, or other adult (who has known the minor for at least six months and is certified) that the minor has the firearms knowledge to be considered for certification in this way.

Aboriginal applicants (adults and minors) who want to be alternatively certified must show that they:

- know how to safely store, handle, and transport firearms; and
- have a basic understanding of the firearms laws.

Treaty Ammunition

Aboriginal individuals who get ammunition from the government as part of a treaty do not need a firearms licence to get the ammunition. They will need a valid firearms licence to get ammunition from any other source.

The ***Firearms Fees Regulations*** set out the fees for:

- licences for individuals;
- licences for businesses;
- registration certificates; and
- authorizations and confirmations.

The fees, as described in the *Firearms Fees Regulations*, came into effect on December 1, 1998.

Authority for Regulations: *Firearms Act*, ss.117 (p) and (q)
Reference: *Firearms Fees Regulations*

Fees

Basic fee information is included throughout this Guide. For more information, see the Table of Contents for the section you need, or call 1 800 731-4000.